

MEETING OF  
THE DELAWARE AGRICULTURAL LANDS PRESERVATION FOUNDATION

A meeting of the Delaware Agricultural Lands Preservation Foundation was held at the Delaware Department of Agriculture, 2320 S. DuPont Hwy., Dover, Delaware, February 20, 2013, with the following members in attendance:

William Vanderwende, Vice Chairman	Ed Kee, Secretary of Agriculture
William H. "Chip" Narvel, Jr., Secretary	Barbara Bennett representing Chip Flowers, Jr., State Treasurer
Theodore P. Bobola, Jr.	Michael Valenti representing Steve Ditmer, Forestry Council
Robert Emerson	

Absent: Robert F. Garey, L. Allen Messick, Jr., and Kevin Coyle.

The following staff members were in attendance: Austin Short, Deputy Secretary of Agriculture, and Chief of Planning, Howard Mesick, Milton Melendez, Scott Blaier, Cathy Mesick, Ashley Spangler, and Robin West.

Others in attendance: F. Michael Parkowski, Jake McPherson (Ducks Unlimited), Bill Powers (New Castle County Sixth District Councilman), Peter Martin (Delaware Wild Lands), Gary Warren (Delaware Farm Bureau), and Ms. Greta Whittendale.

Vice Chairman Vanderwende opened the meeting at 8:30 a.m.

**I. Current Situation Report:**

Robin West informed the Board that we have a total of 1,116 farms in preservation districts totaling 157,693 acres, with a total of 754 farms under agricultural easements totaling 110,820 acres at a cost of \$198,321,143. For PDR 18, there are a total of 107 farms, comprising 10,164 acres, with a value of \$59,747,386. For the Forestland Preservation Program there are 37 Forestland Preservation Areas comprising 2,711 acres. For the Forestland Preservation Area Easements, there are a total of 9 properties, comprising 872 acres, with a value of \$1,450,804. For the Young Farmers Program there are a total of 10 Young Farmers program loans which have settled, with an easement value of \$3,878,524. Forty-Nine prequalification applications have been received so far with only two being unapproved – one due to lack of farming experience and one exceed the maximum (\$300,000) net worth.

**II. Young Farmers Report**

Austin Short informed the Board that settlement will be held soon the five properties in Round 2 of the Young Farmers Loan Program. One complete loan application has been received for Round 3. The deadline for Round 3 is March 31<sup>st</sup>. A recent newspaper article in the News Journal informs the public of the March 31<sup>st</sup> deadline.

**III. Monitoring Report:**

Milton Melendez informed the Board that 120 Federal parcels have been monitored so far. A total of 330 Federal parcels need to be done. These will be finished before the non-Federal parcels. A total of 994 parcels (Federal and non-Federal) will be monitored this year.

**IV. Expansion Eligibility & Final Approval:**

1. Spicer Farms Expansion of the Phillips District, ID#S-12-10-015B After discussion, **Ed Kee moved to accept for eligibility/final approval the Spicer Farms Expansion of the Phillips District, seconded by Theodore P. Bobola, Jr. Motion unanimously approved.**
2. Tibbitt Farm Expansion of the Kenneth W. Wilson-Clearbrook Farm District, ID#S-12-11-076D. After discussion, **Chip Narvel, Jr. moved to accept for eligibility/final approval, the Tibbitt Farm Expansion of the Kenneth W. Wilson-Clearbrook Farm District, seconded by Robert Emerson. Motion unanimously approved.**
3. Newton Farm Expansion of the Townsend Tract District, ID#S-12-11-143D. After discussion, **Ed Kee moved to accept for eligibility/final approval the Newton Farm Expansion of the Townsend Tract District, seconded by Theodore P. Bobola, Jr. Motion unanimously approved.**

4. Southview Farm Expansion of the William G. Passwaters District, ID#S-12-09-170F. After discussion, **Chip Narvel, Jr. moved to accept for eligibility/final approval the Southview Expansion of the William G. Passwaters District, seconded by Theodore P. Bobola, Jr. Motion unanimously approved.**
5. Kirk Expansion of the Old Morgan School District, ID#S-12-11-016M. After discussion, **Chip Narvel, Jr. moved to accept for eligibility/final approval the Kirk Expansion of the Old Morgan School District, ID#S-12-11-016M, seconded by Ed Kee. Motion unanimously approved.**
6. Penual Farm Expansion of the Phillips District, ID#S-12-10-015C. After discussion, **Theodore P. Bobola, Jr. moved to accept for eligibility/final approval the Penual Farm Expansion of the Phillips District, seconded by Ed Kee. Motion unanimously approved.**
7. H & M Sylvester Expansion of the Sylvester District, ID#K-12-09-228D. After discussion, **Ed Kee moved to accept for eligibility/final approval the H & M Sylvester Expansion of the Sylvester District, seconded by Chip Narvel, Jr. Motion unanimously approved.**
8. Eastern Sod Farms, LLC Expansion of the Tybout Tract District, ID#N-12-09-130R. After discussion, **Chip Narvel, Jr. moved to accept for eligibility/final approval the Eastern Sod Farms, LLC Expansion of the Tybout Tract District, seconded by Theodore P. Bobola, Jr. Motion unanimously approved.**

**V. Secretary of Agriculture's Veto:**

Secretary of Agriculture Ed Kee waived the right of veto for the above Expansions.

**VI. Public Comments:**

No public comments were received.

**VII. Minutes:**

Vice Chairman Vanderwende asked if there were any comments or changes to the January 16, 2013 minutes. Hearing no changes, the Vice Chairman asked for a motion to approve the minutes. **Ed Kee moved to approve the January minutes, seconded by Robert Emerson. Motion unanimously approved.**

**VIII. Financial Highlights:**

Howard Mesick presented the Financial Statement for the month of January 31, 2013, informing the Foundation Board that we had, as of January 31, 2013, \$29,301.24 in the Foundation's interest bearing State of Delaware account. Interest income was \$12.46, rollback taxes received \$3.46, and license plate monies received in January totaled \$525. Expenditures for the month of January totaled \$37,652.13. After discussion, **Robert Emerson moved to accept the January financial statement as presented, seconded by Chip Narvel, Jr. Motion unanimously approved.**

**IX. Executive Session:**

Mr. Parkowski indicated that there was a need for an Executive Session. **Robert Emerson moved to go into Executive Session, seconded by Ed Kee. Motion unanimously approved.**

The Executive Session started at 8:50 a.m. The Executive Session ended at 8:59 a.m. **Ms. Barbara Bennett moved that the Board go out of Executive Session, seconded by Chip Narvel, Jr. Motion unanimously approved.**

**X. Amend PDR Round 17 List:**

Discussion centered on the addition of two properties to the PDR Round 17 list. One property (Paskey) that should have been included on the original list presented to the Board (it was not included on the list to due error) and was subsequently added, and the other was a selection by New Castle County using County funding. After discussion, **Robert Emerson moved to accept the additional Paskey property omitted from the list originally presented to the Board, and the New Castle County selection of the Eierman property, which consists of 196 acres, at the estimated easement price of \$654,266.00, seconded by Theodore P. Bobola, Jr. Motion unanimously approved.**

**XI. PDR 17 Round Funding:**

Austin Short believes that Kent County will contribute \$97,147 towards four Round 17 properties, after he attended their Levy Court Committee Meeting on February 19. Mr. Short stated that there is no funding from Sussex County; however, there is some interest. Secretary Ed Kee announced a \$500,000 funding confirmation letter from New Castle County and acknowledged the funding leadership of New Castle County due in great part to the efforts of Councilman William Powers. Mr. Powers noted that New Castle county had spent \$15 million in support of farmland preservation.

**XII. Potential Funding from Ducks Unlimited:**

Scott Blaier informed the Board that we may receive support from Ducks Unlimited through a federal North American Wetlands Conservation Act (NAWCA) grant, and introduced Jake McPherson representing Ducks Unlimited and Mr. Peter Martin of Delaware Wildlands to the Board. Mr. McPherson presented an overview of the NAWCA grant and the advantages to the Foundation of pursuing the grant. Materials concerning the grant were presented to the Board. Mr. Peter Martin also spoke on behalf of the grant, as well as Michael Parkowski and Secretary Kee. After discussion the Board agreed to continue work toward obtaining the NAWCA grant funding, and Ducks Unlimited will submit the grant application by March 1.

**XIII. Aglands Preservation Legislation**

Michael Parkowski went over the following items of the proposed legislative changes:

Section 1 – This has to do with making farmland preservation a priority near growth zones. The Foundation has been unable to create a uniform program because of zoning code differences in the Counties. The appraisals which value properties near growth zones at a higher level serves as a form of prioritization.

Section 2 – We currently purchase smaller sections of large farms because we cannot afford to purchase the easement rights on the entire large farm at one time. This would put this practice in the legislation.

Section 3 – This allows private aircraft landing without rezoning or conditional use and eliminates disparities in the County zoning ordinances.

Section 4 – Deleting the “25-year buy back” provision, making easement permanent.

Section 5 – Allows annual/semi-annual events on farms like Harvest Festivals, Fright Nights, etc.

Section 6 – This is the same explanation as Section 1.

Section 7 – This is also the same explanation as Section 1.

Section 8 – The Foundation does not pay for reserved residential acreage, this just clarifies that in the legislation.

Section 9 – This is the same explanation as Section 4.

Section 10 – This corrects a mistake in the citation.

Section 11 – Any mistake will not invalidate the rest of the legislation.

Mr. Robert Emerson questioned the deletion of the provision concerning the growth zone, Sections: 1, 6, and 7; and wants the Board to know that he would vote “No” on making that change in the legislation if the Board votes on these Legislative changes at the March meeting. Mr. Emerson will not be able to attend the March meeting.

**IX. Other Business:**

**1. Delaware Agriculture Infrastructure Fund**

Secretary Ed Kee presented the Delaware Agriculture Infrastructure Fund to the Board. After discussion, the Board indicated that they would like to learn more concerning this.

**2. Wilson Farm**

Mr. Austin Short informed the Board that no progress has been made and he has not heard from Ms. Magee.

**X. Adjournment**

As there was no further business to come before the Foundation the meeting adjourned at 10:10 a.m. The next meeting of the Foundation will be held on March 20, 2013 at the Delaware Department of Agriculture beginning at 8:30 a.m.

Respectfully submitted,

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William Vanderwende  
Vice Chairman